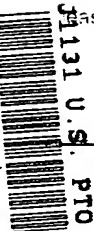


12/28/01



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PTO/SB/29 (12/97)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

9676-311

Total Pages

47

First Named Inventor or Application Identifier

Jean Marie VOGEL et al.

Express Mail Label No.

N/A

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 202311. ☒ Fee Transmittal Form  
Submit an original, and a duplicate for fee processing)2. ☒ Specification [Total Pages 34]  
(preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description of the Invention (including drawings, if filed)
- Claim(s)
- Abstract of the Disclosure

3. Drawing(s) (35 USC 113) [Total Sheets 1]4. ☒ Oath or Declaration [Total Sheets 2]

- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]

i. ☐ **DELETION OF INVENTORS(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).5. ☒ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.6. ☐ Microfiche Computer Program (Appendix)7. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

- 8. ☐ Assignment Papers (cover sheet & document(s))
- 9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
- 10. ☐ English Translation Document (if applicable)
- 11. ☒ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
- 12. ☐ Preliminary Amendment
- 13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
- 14. ☒ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
- 15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
- 16. ☐ Other:

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/263,773 filed March 5, 1999.**18. CORRESPONDENCE ADDRESS**

Customer Number:



20582

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

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CITY

STATE

ZIP CODE

COUNTRY

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

12/28/01  
1131 U.S. PAT.  
1005954  
for 12201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner: H. Scheikh

Art Unit: 1615

Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

This is a request for filing a DIVISIONAL application under 37 CFR § 1.53(b), of pending prior application no. 09/263,773, filed on March 5, 1999,

of Jean Marie VOGEL, Richard THOMAS and Egisto BOSCHETTI  
(inventor(s) currently of record in prior application)

IMPLANTABLE PARTICLES FOR TISSUE BULKING AND THE TREATMENT OF  
GASTROESOPHAGEAL REFLUX DISEASE, URINARY INCONTINENCE, AND SKIN  
WRINKLES.

(title of invention)

1. The filing fee is calculated below:

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	20	-20	0	\$18.00 each	\$ 0.00
Independent	3	-3	0	\$84.00 each	\$ 0.00
Basic Fee					\$ 740.00
Multiple Dependency Fee If Applicable (\$280.00)					\$ 0.00
<b>Total</b>					\$ 370.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 370.00
<b>Total Filing Fee</b>					\$ 370.00

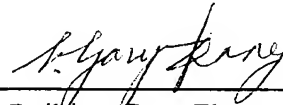
2. Please charge the required fee to Pennie & Edmonds LLP Deposit Account  
No. 16-1150. A copy of this sheet is enclosed.
3. Formal drawing is enclosed.

4. Priority of application no. 60/077,166, filed on March 6, 1998, in the United States is claimed under 35 U.S.C. §119.
5. The prior application is assigned of record to Biosphere Medical, Inc.
6. A copy of the Power of Attorney filed in the prior application no. 09/263,773, filed March 5, 1999, is enclosed.

Respectfully submitted,

Date

12/28/2001



Beibing Gary Zhang (Reg. No. 47,331)

*For:* Anthony M. Insogna (Reg. No. 35,203)  
PENNIE & EDMONDS <sup>LLP</sup>  
1667 K Street, N.W.  
Washington, D.C. 20006  
(202) 496-4400